

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

AN JON MARQUIS DOUGLAS,  
Plaintiff,  
v.  
WARNER BROTHERS FILMS  
Defendant.

No. 2:23-cv-02320-TLN-CKD PS

FINDINGS AND RECOMMENDATIONS

Plaintiff filed a pro se complaint for a civil case. This matter was referred to the undersigned by Local Rule 302(c)(21) pursuant to 28 U.S.C. § 636(b).

By order filed on November 6, 2023 (ECF No. 3), the undersigned screened the complaint pursuant to 28 U.S.C. § 1915(e), advised plaintiff of the deficiencies in the complaint, and granted plaintiff thirty days to file an amended complaint. Plaintiff was warned that failure to file an amended complaint would result in a recommendation that this action be dismissed. The time granted for plaintiff to file an amended complaint has expired. Plaintiff has not filed an amended complaint or sought an extension of time to do so.

For the reasons set forth in the screening order filed on November 6, 2023 (ECF No. 3), the complaint does not comply with Rule 8 of the Federal Rules of Civil Procedure and fails to state a claim. Plaintiff was previously informed of the deficiencies in the complaint and elected

1 not to amend. Plaintiff also has not identified facts that could be alleged in an amended complaint  
2 to state a plausible claim. Thus, the complaint should be dismissed without further leave to  
3 amend. See Lucas v. Dep't of Corr., 66 F.3d 245, 248 (9th Cir. 1995).

4 Based on the foregoing, IT IS RECOMMENDED as follows:

- 5 1. Plaintiff's complaint be dismissed without leave to amend for failure to state a claim;  
6 and
- 7 2. The Clerk of the Court be directed to close this case.

8 These findings and recommendations are submitted to the United States District Judge  
9 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
10 after being served with these findings and recommendations, plaintiff may file written objections  
11 with the court and serve a copy on all parties. Such a document should be captioned "Objections  
12 to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file  
13 objections within the specified time may waive the right to appeal the District Court's order.  
14 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

15 Dated: December 28, 2023

  
\_\_\_\_\_  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

16  
17  
18  
19 8.Douglas23cv2320.fr  
20  
21  
22  
23  
24  
25  
26  
27  
28